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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,680	02/26/2002	Joel R. Felty	JFE4-F72	1477

7590

05/22/2003

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EXAMINER

CARIASO, ALAN B

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 05/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Applicati n N .

10/085,680

Applicant(s)

FELTY, JOEL R.

Examiner

Alan Cariaso

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-- The MAILING DATE of this communication app ars on the cover sheet with the correspondenc address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-11 and 14-16 is/are rejected.
- 7) ☒ Claim(s) 5-7, 12, 13, 17 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "37". A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "26" has been used to designate both slot and cylindrical portion. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

3. The disclosure is objected to because of the following informalities: Page 7/15, line 5, the term "Disbursed" has meaning (i.e. "pay off") that is not compatible with the context.

Appropriate correction is required.

### ***Claim Objections***

4. Claims 7 and 9 are objected to because of the following informalities:
5. Claim 7, line 4, the term "disbursed" is incorrectly used given its meaning relative to the context.

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6. Claim 9, line 1, the limitation "ball dome" should be addressed with --said--or --the--.

7. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-4, 8 and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by CLARKE (US 1,571,709).

10. CLARKE discloses a headlight housing assembly comprising: a housing (14) defined by an inner surface and an outer surface (14) and an inner chamber; a lamp (23) attached to the housing (14) and resident inside the inner chamber; a ball dome member (3) attached to the outer surface (14) such that entire ball dome member (3) is external to the inner chamber; a ball dome (3) defined by an annular face (left end of 11) substantially in contact with the outer surface (14); wherein the ball dome member (3) is defined by a cylindrical portion (11) terminating in a dome portion (3) at one end and in an annular face (left end of 11) at another end; the annular face defined by one threaded bore on the annular face (11); the ball dome member (3) is further defined by a slot (right 12) formed in the dome portion (3); wherein the housing (14) further includes at least one bolt aperture (12 adjacent 15) formed therethrough, and wherein a

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mounting bolt (13) inserted through the bolt aperture (12) passing from the interior chamber (of 14) out through the bolt aperture (12,15) and into a corresponding threaded bore (12) formed in the ball dome member (3) whereby the mounting bolt (13) is in threaded engagement with one threaded bore (12) to attach the ball dome (3) to the outer surface of the housing (14).

***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over CLARKE (US 1,571,709) in view of GEHERSKY (US 1,612,806).

13. CLARKE discloses applicant's claimed invention except a plurality of threaded bores opening in the annular face of the ball dome in spaced relation and corresponding plural mounting bolts threadedly engaged with threaded bores.

14. GEHERSKY teaches a plurality of bolt-like fasteners in spaced relation mounted through inherent bore openings in an annular face (left adjacent 3-fig.2) of a ball dome member (5,3-fig.2) and in the lamp housing (4) for the purpose of securely attaching the lamp housing to the ball dome member (5,3). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the headlight assembly of CLARKE to include a plurality of fastening bolts and threaded openings in

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spaced relation as taught by GEHERSKY in order to increase securement to the attachment between the ball dome member and the lamp housing.

***Allowable Subject Matter***

15. Claims 5-7, 12, 13, 17 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***


16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. MCGAVIN (US 929,463) and FREUND (US 1,631,480) show other ball dome members each having a cylindrical portion with annular end attached to lamp housing surface by threaded fastener.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan Cariaso whose telephone number is (703) 308-1952. The examiner can normally be reached on M-F (9:00-5:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.



Alan Cariaso  
Primary Examiner  
Art Unit 2875

AC  
May 19, 2003